

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

AZIM AZIZ,

Plaintiff,

vs.

ALLSTATE INSURANCE COMPANY,

Defendant.

)
)
)
)
)
)
)
)
)
)

Case No. 4:14-CV-00934-CEJ

MEMORANDUM AND ORDER

This matter is before the Court on defendant's motion to join plaintiff's former wife, Kina Aziz, to this action as a plaintiff. The motion is unopposed. Fed. R. Civ. P. 19 requires joinder of a person, if it will not deprive the Court of subject matter jurisdiction,¹ where, *inter alia*, "that person claims an interest relating to the subject of the action and is so situated that disposing of the action in the person's absence may[] leave an existing party subject to a substantial risk of incurring double, multiple, or otherwise inconsistent obligations because of the interest." Fed. R. Civ. P. 19(a)(1)(B)(ii).

This case involves a dispute about an insurance policy between Allstate and both Azim Aziz and Kina Aziz. The couple divorced at some point during the term of the policy. Kina has an interest in the outcome of this action because she was a party to the disputed insurance contract with Allstate. After the fire that led to the policy claim in this case, Azim and Kina filed a claim with Allstate together. The claim was later denied by Allstate, giving rise to this suit. In addition, a letter sent by Azim's attorney to Allstate on January 16, 2008 says that the attorney "has been

¹Kina Aziz is a citizen of Missouri, so joining her as a plaintiff will not deprive the Court of subject matter jurisdiction over this case because complete diversity will be maintained. See 28 U.S.C. § 1332; *Northport Health Servs. of Arkansas, LLC v. Rutherford*, 605 F.3d 483, 486 (8th Cir. 2010).

retained to represent Mr. Azim Aziz and Ms. Kina Aziz" regarding the insurance dispute. [Doc. #6, Ex. 2]. If Kina is not joined to this action, Allstate might be subject to double, multiple, or otherwise inconsistent obligations if Kina brings a separate suit alleging the same breach of contract. Thus, Kina is a necessary party to this suit under Rule 19.

Accordingly,

IT IS HEREBY ORDERED that defendant's motion for joinder of Kina Aziz as a plaintiff [Doc. #9] is granted.



CAROL E. JACKSON
UNITED STATES DISTRICT JUDGE

Dated this 8th day of October, 2014.